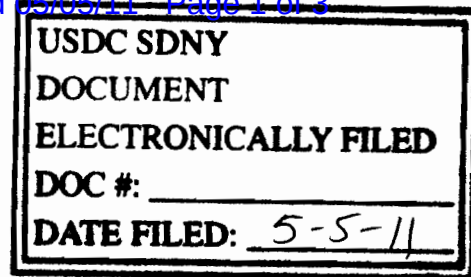


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-against-

00 CR 121 (PKC)

Julio Nunez, et al,

ORDER

Defendant.

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P. KEVIN CASTEL, U.S.D.J.

Assistant United States Attorney, Alvin L. Bragg, Jr., is directed to submit a written response to the attached letter of April 28, 2011 from Ms Haydee D. Gutierrez Cabrera with a copy to Ms. Gutierrez Cabrera by May 25, 2011.

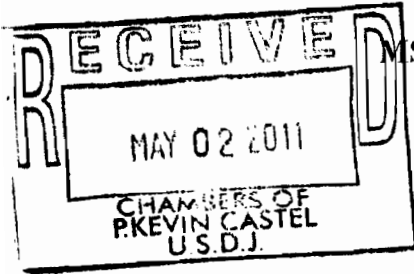
SO ORDERED.

A handwritten signature in black ink, appearing to read "P. Kevin Castel".

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P. Kevin Castel  
United States District Judge

Dated: New York, New York  
May 4, 2011



MS. HAYDEE D. GUTIERREZ CABRERA  
29-31 Howe Avenue, #602  
Passaic, New Jersey 07055

April 28, 2011

Judge P. Kevin Castel  
United States District for the Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: **Request for Identity Hearing**  
Case No. 00-CR-00121-10 (PKC)

Dear Honorable Castel:

I, Haydee Gutierrez, am named as a defendant in the above-mentioned case. I only learned of this case being in my name in 2007 when USCIS informed me that I had a criminal record in my name. At the time, I was applying to renew my residency card. USCIS is now requesting that I rectify the identity and sentence of this case.

After I became aware of the case, I learned that my sister, Maria Berta Gutierrez Cabrera used my name when she was arrested in 2000. The case proceeded under my name. My sister was then deported in 2007 also under my name. She now lives in the Dominican Republic.

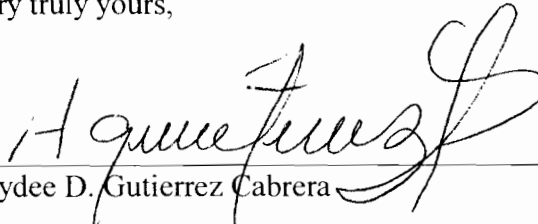
I have obtained a FBI background check which shows by my fingerprints that I do not have a criminal record. See enclosed FBI record.

This situation has dramatically affected my life since I am not able to obtain a valid residency card. I have been unable to work, have no income and am unable to travel. I am trying to rectify this situation so that I can get my life back in order.

Therefore, I am requesting an identity hearing before Your Honor so that I may resolve this situation. Please notify me if and when my request is granted.

Thank you for your time and consideration.

Very truly yours,

  
Haydee D. Gutierrez Cabrera



## U.S. Department of Justice

## Federal Bureau of Investigation

Clarksburg, WV 26306

December 13, 2010 -- 5469

HAYDEE DEL PILAR GUTIERREZ C  
2931 HOWE AVE APT 602  
PASSAIC NJ 07055

The Criminal Justice Information Services (CJIS) Division of the Federal Bureau of Investigation has completed the following fingerprint submission:

<u>Subject Name</u>	<u>Received</u>	<u>Returned</u>	<u>Result</u>
HAYDEE DEL PILAR GUTIERREZ C	10/22/2010	12/02/2010	NO ARREST RECORD-FBI
Social Security number: XXX-XX-0744			

The result of the above response is only effective for the date the submission was originally returned. For more updated information, please submit new fingerprints of the subject.

In order to protect Personally Identifiable Information, as of August 17, 2009, FBI policy has changed to no longer return the fingerprint cards. This form will serve as the FBI's official response.

Any questions may be addressed to the Customer Service Group at (304) 625-5590. You may also visit the Web site at [www.fbi.gov](http://www.fbi.gov) for further instructions.

Kimberly J. Del Greco  
Section Chief  
Biometric Services Section  
Criminal Justice Information  
Services Division